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Letter

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July 8, 2021

Hon. Leslie E. Kobayashi
United States District Court of Hawaii
300 Ala Moana Blvd., C-338
Honolulu, HI 96850

Re: *Vargas v. City and County of Honolulu, et al.*,
Civ. No. 19-00116 LEK-WRP

Dear Judge Kobayashi:

Pursuant to the June 16, 2021, *Temporary General Order Regarding the District of Hawaii Response to COVID-19 Pandemic*, I write to inform the Court that one, and possibly two, individuals plan to enter the courthouse having recently completed travel outside the State of Hawaii in connection to the above captioned lawsuit.

- Plaintiff Sarah Vargas will be traveling from Chicago, Illinois on or around August 2, 2021 in order to attend jury selection, currently scheduled for August 4, 2021. She will be present in person for the duration of the trial and as a party would like the opportunity to be in the courtroom during the trial (rather than, for instance, watching the proceedings from a video monitor or some other remote viewing arrangement). Ms. Vargas has not been vaccinated.
- Chief Trial-Counsel, Daniel G. Hempey, is endeavoring to attend the trial in person. Mr. Hempey is currently in São Paulo, Brazil for a family member's medical treatment. He intends to arrive in Hawaii greater than 10-days prior to the trial-start date, but the exact date depends on the Brazilian immigration officials. Mr. Hempey is partially but not be fully vaccinated due to the limited supply of vaccines in Brazil. Ms. Vargas would like her chief trial counsel to appear in person during the trial.

If the Court has any inclination to not admit either Ms. Vargas or Mr. Hempey to the well of the court, we respectfully ask that the court, at its convenience, schedule a pre-trial conference to discuss such matter in advance of the final pre-trial conference currently scheduled for July 26, 2021. International and trans-Pacific travel arrangements are currently being made. Any guidance from the court would be greatly appreciated.

Respectfully Submitted,

/s/ Brian K. Mackintosh

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Attorneys for Plaintiff Sarah Vargas